

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TEKLA BALFOUR-BROWNE, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

EDEN FINE ART NY INC. d/b/a EDEN
GALLERY, CATHIA KLIMOVSKY, GUY
MARTINOVSKY, GAL YOSEF, and CETRA
ART CORPORATION,

Defendants.

Case No.: 1:25-cv-01142-MMG

**STIPULATION AND ~~[PROPOSED]~~
ORDER**

WHEREAS, on February 7, 2025, Plaintiff Tekla Balfour-Browne (“Plaintiff”) filed this action against Defendants Eden Fine Art NY Inc., Cathia Klimovsky, Guy Martinovsky, Gal Yosef, and Cetra Art Corporation (collectively, “Defendants”);

WHEREAS, the undersigned counsel to Defendants have been authorized to waive service of the summons and accept service of the Complaint in this action on behalf of all Defendants; and

WHEREAS, pursuant to the Southern District of New York Electronic Case Filing Rules & Instructions 8.5(b), all undersigned counsel consent to the use of their electronic signatures on this Stipulation and [Proposed] Order.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned parties to this action, as follows:

1. The undersigned counsel for Defendants hereby accepts service of the Complaint in this action and waives service of the summons on behalf of all Defendants.
2. Defendants acknowledge receipt of the Complaint and Summons via electronic transmission to their counsel of record on February 14, 2025. Defendants agree that the date of

this stipulation constitutes the effective date of service for all purposes under Federal Rule of Civil Procedure Rule 4.

3. The Court has ordered (Dkt #30, entered on February 21, 2025) the parties' jointly proposed schedule for a response to the Complaint, including a briefing schedule if a motion to dismiss is filed.

4. Except as to the defense of insufficient service of process and insufficient process, by entering into this Stipulation, Defendants do not waive, and hereby expressly preserve, all potential defenses in this litigation, including but not limited to defenses relating to venue or jurisdiction.

Dated: February 28, 2025
New York, NY

/s/ Chet B. Waldman

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/s/ Jason P. Gottlieb

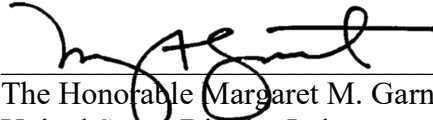
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Attorneys for Defendants

SO ORDERED

New York, NY

Date: February 28, 2025


The Honorable Margaret M. Garnett
United States District Judge